

# Third Party Privacy Policy

## Introduction

Birmingham Bank Limited respects your privacy and is committed to protecting your personal data.

This privacy policy applies to your personal data which we hold as a result of your appointment and/or relationship to a customer of the Bank.

This privacy policy explains how we collect, store and process your personal data when you visit our website or when you do business with us, and tells you about your Rights and how to get in touch with us if you have any further questions.

It is important that you read this privacy policy, together with any other privacy policies we may provide on specific occasions when we are collecting or processing personal data about you, so that you are fully aware of how and why we are using your data. This privacy policy supplements other notices and privacy policies and is not intended to override them.

Some terms have specific meanings and they are defined in the [Glossary](#).

In certain circumstances, you have rights under data protection laws in relation to your personal data, these Rights are outlined in the section headed '[Your Legal Rights](#)'.

## Personal Data

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

If we combine or connect anonymous aggregated data, such as statistical or demographic data, with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

## Data Controller

Birmingham Bank Limited is the Data Controller and responsible for your personal data (collectively referred to as "Birmingham Bank Limited", "we", "us" or "our" in this privacy policy). We have appointed a data protection officer (DPO) who is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact the DPO by email: [gdpr@birminghambank.com](mailto:gdpr@birminghambank.com) telephone: 03330 048 048 or by post to The Data Protection Officer, Birmingham Bank Ltd, Lewis Building, Ground floor, Spaces, 35 Bull Street, Birmingham, B4 6AF.

We will do our very best to answer any questions and resolve any complaint to your satisfaction.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), which is the UK regulator for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

## **The types of information we collect about you**

We may collect, use, store and transfer different kinds of personal data about you, including, but not exclusively:

- Information you have given us including: your title, full name; your contact details, including your email address and mobile telephone number; correspondence address.
- Correspondence you may have with us (including recordings of your calls with us) and any complaints you have raised for our attention.
- Information from the credit reference agencies which gather information for us from public authorities, to verify your identity; for example, the Driver Vehicle Licensing Agency (DVLA) and local authorities who run the UK electoral rolls.
- Technical Information which could include things such as your internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this website.
- Usage Data includes information about how you use our website, products and services. Information about your use of our website is collected using cookies. You can read more about these, including how to refuse all or some browser cookies, by visiting our website and clicking the footer at [www.birminghambank.com](http://www.birminghambank.com).

We do not collect any Special Categories of Personal Data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

## **If you choose not to give us personal data.**

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you choose not to provide that data, we may not be able to perform the contract we have or are trying to enter into with you. We will notify you if this is the case at the time.

## **What we do with the information we collect about you**

We will only use your personal data when the law allows us to. Most commonly, the legal basis for us processing your personal information will be the following;

- because it is necessary to fulfil a contract that we have in place with you;
- where the processing is necessary for compliance with our legal obligations;
- where you have given us explicit consent; or
- for our legitimate business interests.

We use the personal data we collect about you to:

- Undertake processing necessary to perform and in relation to a contract we have with you, including:
  - (a) all stages and activities relating to a savings account or loan. Including enquiry or application, administration and management,
  - (b) manage payments, fees and charges,
  - (c) collect and recover money owed to us,
  - (d) notifying you about changes to our terms or privacy policy,
  - (e) asking you to leave a review or take a survey.
- Undertake relevant anti-money laundering checks and fraud prevention checks.
- Enable you to partake in a prize draw, competition or complete a survey.
- Administer and protect our business and this website (including troubleshooting, data

analysis, testing, system maintenance, support, reporting and hosting of data).

- Deliver relevant website content and advertisements to you, and measure or understand the effectiveness of the advertising we serve to you.
- Use data analytics to improve our website, products/services, marketing, customer relationships and experiences.
- Make suggestions and recommendations to you about goods or services that may be of interest to you.

### **Change of purpose**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without notifying you or obtaining your consent, where this is required or permitted by law.

### **Marketing preferences**

We may use the following channels to provide you with information about our Services which could be of interest to you:

- Email
- Phone
- Post
- Text

You will receive marketing communications from us if you have requested information from us, or in relation to products or services we consider relevant to a contract we have with you, and you have not opted out of receiving that marketing. You have the right to opt out of receiving marketing communications or to amend your preferences including the communications channels at any time. You can do this by emailing [info@birminghambank.com](mailto:info@birminghambank.com) please note, if you opt out of, or amend your preferences, we may still contact you about service related issues such as where we make changes to our Services, our terms and conditions or this privacy policy.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a contract we have with you or transactions that are essential to our business operations. We will never sell or disclose your personal information to third parties for marketing activities without your explicit consent.

### **How we store your personal information and how long we store it for**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions, and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship

with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

Where we have collected the personal information based on your consent and we have no other lawful basis to continue with that processing, if you subsequently withdraw your consent then we will stop processing that personal information and delete it. This will not affect the lawfulness of processing based on consent before its withdrawal.

## Who we share your personal information with

We may share your personal data with the parties set out below:

Birmingham Bank is owned by US based Better Home and Finance Holding Corporation. From time to time, we may transfer your data to our parent company for group reporting purposes.

- Specific third parties such as:
  - HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.
  - Credit Reference Agencies acting as processors or controllers based in the United Kingdom who provide credit decisions and credit references to commercial organisations.
  - Fraud Prevention Agencies acting as processors or controllers based in the United Kingdom.
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners will become the data controllers and may use your personal data in the same way as set out in this privacy policy.
- External Third Parties:
  - Service providers acting as processors based in the United Kingdom who provide IT and system administration services.
  - Professional advisers acting as processors or joint controllers including lawyers, auditors and insurers based in the United Kingdom who provide consultancy, legal, insurance and accounting services.
  - Customer management and fulfilment service providers so we can manage your transactions and deal with your account applications and amendments.
  - Payment service providers who provide services for sending and receiving payments.
  - [Customer satisfaction survey providers so that we can assess how to deliver the best products and services to you and other customers.](#)

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

We also use survey partners to assist with engagement and feedback as part of ongoing service improvement. You may receive an invitation to provide your feedback electronically. Please note our communications regarding third party engagement and feedback are not direct marketing and do not require your consent. However, you can opt-out of receiving any feedback requests from us at any time by informing the survey partner who has contacted you, or by emailing [info@birminghambank.com](mailto:info@birminghambank.com).

## Your Legal Rights

You have the right to:

- Request access to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you to check that it is correct and that we are lawfully processing it.
- Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law.  
Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party), unless we can demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms. In the case of direct marketing, you will always retain the right to object to processing.
- Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:
  - o If you want us to establish the data’s accuracy.
  - o Where our use of the data is unlawful but you do not want us to erase it.
  - o Where you need us to hold the data even if we no longer require it because you need it to establish, exercise or defend legal claims.
  - o You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used format. Note that this right only applies to automated information which you initially provided consent for us to use, or where we used the information to perform a contract with you.
- Withdraw consent at any time where we are relying on consent to process your personal data. This will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you decide to exercise your rights:

- We aim to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.
- You will not usually have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.
- We may need to request specific information from you to help us confirm your identity and

ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **Links to other sites**

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy policies.

The Bank does not accept any responsibility for the content, accuracy, privacy practices and performance of such sites. Any comments or queries in relation to such linked sites should be directed to the owner of those sites. When you leave our website, we encourage you to read the privacy policy of every website you visit.

### **Changes to our privacy policy**

We may update this privacy policy from time to time. If we make changes, we will notify you by posting a notice on our website and, where appropriate, sending you a notification.

It is important that the personal data we hold about you is accurate and current.

Please keep us informed if your personal data changes during your relationship with us.

## Glossary

### Browser

A web browser is an application used to access and view websites. Common web browsers include Microsoft Edge, Internet Explorer, and Google Chrome. A **plug-in** is a piece of software that manages Internet content that a browser is not designed to process. Examples include Adobe Acrobat, Adobe Flash and Java.

### Cookies

Cookies are small text files that are stored on your computer or mobile device when you visit a website or use an App. All websites use them. Some cookies are deleted when you close your browser. These are 'session' cookies. Others remain on your computer or device until they expire or are deleted. These are 'persistent' cookies. For more information about the cookies we use visit our website and click the footer at [www.birminghambank.com](http://www.birminghambank.com).

### Data Controller

The data controller determines the purposes for which, and the manner in which, personal data is processed. It can do this either on its own or jointly or in common with other organisations. This means that the data controller exercises overall control over the 'why' and the 'how' of a data processing activity.

### Data Processor

A data processor is a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller (excluding the data controller's own employees).

### Explicit Consent

This is generally taken to mean where an individual is clearly presented with an option to agree or disagree with the collection, use, or disclosure of personal information given in circumstances where the available options and the consequences have been made clear for the specific details of processing; the data to be processed; and the purpose for processing; and where they have clearly indicated their choice.

### IP Address

An IP address is a unique address that identifies a device on the internet or a local network. IP stands for "Internet Protocol," which is the set of rules governing the format of data sent via the internet or local network which allows information to be sent between devices on a network: they contain location information and make devices accessible for communication. An example address might be 192.158.1.38.

### Legitimate Business Interests

Legitimate interests is one of the six lawful bases for processing personal data and means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.



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Clarity, Empowerment, Progressive, Excellence